

Mississippi Secretary of State
700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi Department of Marine Resources		CONTACT PERSON Joe Jewell		TELEPHONE NUMBER 228-523-4072	
ADDRESS 1141 Bayview Avenue		CITY Biloxi		STATE MS	ZIP 39530
EMAIL Joe.jewell@dmr.ms.gov	SUBMIT 8-20-2014	Name or number of rule(s): Title 22 Part 7			

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: TITLE 22 – MISSISSIPPI DEPARTMENT OF MARINE RESOURCES, PART 7 REGULATIONS TO PROVIDE SIZE LIMITS AND BAG LIMITS ON CERTAIN FISH SPECIES AND TO PREVENT SALE OF SEAFOOD BY RECREATIONAL FISHERMEN Chapter 09 Section 111 statement added providing for an exception to the spotted seatrout means test to address safety concerns.

Specific legal authority authorizing the promulgation of rule: Mississippi Code Ann. § 49-15-15, APA, § 25-43-1.101 *et seq.*

List all rules repealed, amended, or suspended by the proposed rule: Title 22, Part 7: (see above summary description; complete description attached).

ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

☒ Economic impact statement not required for this rule. ☐ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: _____ New rule(s) <input checked="" type="checkbox"/> Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: <input checked="" type="checkbox"/> 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: Action taken: _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: _____ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Jamie M. Miller Executive Director

Signature of person authorized to file rules: *Jamie M. Miller*

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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Complete description of proposed changes:

TITLE 22 – MISSISSIPPI DEPARTMENT OF MARINE RESOURCES, PART 7 REGULATIONS TO PROVIDE SIZE LIMITS AND BAG LIMITS ON CERTAIN FISH SPECIES AND TO PREVENT SALE OF SEAFOOD BY RECREATIONAL FISHERMEN

Chapter 09 Section 111:

The following provisions are provided to address safety concerns and allow a fisherman to have another individual on board in case of emergency.

For commercial hook and line fisherman, if only two fisherman are aboard a vessel commercially harvesting spotted seatrout, one of the fisherman is not required to possess the spotted seatrout endorsement; however, that fisherman is required to possess an applicable commercial harvester's license. If two or more commercial hook and line fisherman possessing the spotted seatrout endorsement are aboard a vessel commercially harvesting spotted seatrout, all fishermen aboard the vessel are required to possess the spotted seatrout endorsement.

For net fisherman, the vessel must possess a valid fishing boat license and if only two fisherman are aboard a vessel commercially harvesting spotted seatrout, one of the fisherman is not required to possess the spotted seatrout endorsement. If two or more net fisherman possessing the spotted seatrout endorsement are aboard a vessel commercially harvesting spotted seatrout, all fishermen aboard the vessel are required to possess the spotted seatrout endorsement.